

-----X	:	
EMMA MCGOWAN,	:	
	:	
Plaintiff,	:	<u>ORDER</u>
	:	
-v.-	:	
JPMORGAN CHASE & CO.,	:	18 Civ. 8680 (PAC) (GWG)
	:	
Defendant.	:	
-----X	:	

Oral argument on the pending motion to compel will take place on December 18, 2019, at 3:30 p.m. in Courtroom 6-B, United States Courthouse, 500 Pearl Street, New York, New York. This is the only matter scheduled for this date and time. Please be sure to arrive sufficiently in advance so that the argument may begin promptly. Each attorney is directed to ensure that all other attorneys on the case are aware of the oral argument date and time. In addition, any requests for an adjournment must be made in compliance with Judge Gorenstein's rules (available at: <https://nysd.uscourts.gov/hon-gabriel-w-gorenstein>).

It is unclear from the briefing whether plaintiff is making the argument that “opinion” work product — that is, materials described in Fed. R. Civ. P. 26(b)(3)(B) — (as opposed to “fact” work product) can be protected from disclosure notwithstanding a waiver. If plaintiff is making this argument, she shall file a short letter on ECF on or before December 13, 2019, supplying case law supporting it — that is, case law holding that notwithstanding a waiver through disclosure to a third party of opinion work product, that opinion work product must still be protected. Defendant may respond on or before December 17, 2019. If plaintiff is not making this argument, she should so state in a letter filed at her earliest convenience, and in any event no later than December 13, 2019.


GABRIEL W. GORENSTEIN
United States Magistrate Judge